

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 16-6639**

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ROBBIE SHERRON,

Plaintiff - Appellant,

v.

TODD PINION, Region Director; DESTER GIBBS, Superintendent of Program's Health Services; CINDY HAYNS, Coordinator for Mountain View Corr.; JENNIE SALTER, Psychologist; FRANK PERRY, Secretary of Public Safety, NCDPS/DAC-Prisons; DR. PAULA Y. SMITH, MD, Chief of Health Services, NCDPS/DAC Prisons; MIKE SLAGLE, Prison Unit #4855 Mountain View Administrator, NCDPS/DAC; NORMA MELTON, Supervisor over Medical Services at Mountain View Prison, NCDPS/DAC Prisons; KEITH C. DAMICO, PA Medical Doctor Assistant at 4855 Mountain View Prison Unit; DEXTER GIBBS, Assistant Superintendent of Programs Services, etc., at 4855 Mountain View Corr.,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Frank D. Whitney, Chief District Judge. (1:15-cv-00181-FDW)

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Submitted: August 25, 2016

Decided: August 30, 2016

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Before NIEMEYER, DIAZ, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robbie Sherron, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robbie Sherron appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) complaint without prejudice for failure to exhaust administrative remedies.\* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Sherron v. Pinion, No. 1:15-cv-00181-FDW (W.D.N.C. Mar. 9, 2016). We deny Sherron's motions to appoint counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

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\* We conclude that the order is "final and appealable because no amendment to the complaint could cure [the] procedural shortcoming [identified by the district court]." Goode v. Cent. Va. Legal Aid Soc'y, Inc., 807 F.3d 619, 624 (4th Cir. 2015).